

REMARKS

The application has been reviewed in light of the Office Action dated August 11, 2004. Claims 1-20 are pending in this application, with claims 1, 6 and 12 being in independent form. By this Amendment, Applicant has amended claims 1, 6 and 12 to clarify the claimed invention.

Claims 1, 2, 6-8, 12-14 and 18-20 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,005,677 to Suzuki in view of U.S. Patent No. 6,633,630 to Owens et al. Claims 3, 4, 9, 10, 15 and 16 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Suzuki in view of Owens et al., and further in view of U.S. Patent No. 5,517,324 to Fite, Jr. et al. Claims 15, 11 and 17 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Suzuki in view of Owens et al., and further in view of U.S. Patent No. 5,828,836 to Westwick et al.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 1, 6 and 12, as amended, are patentable over the cited art, for at least the following reasons.

This application relates to facsimile transmission operation through a local area network (LAN) to which a client data terminal and a called data terminal (for example, a network facsimile machine) are connected. The network facsimile machine is also coupled to a public switched telephone network (PSTN).

The client data terminal can be adapted with facsimile application software to use the network facsimile machine modem to transmit a facsimile to an arbitrary facsimile machine (other than the network facsimile machine) connected to the PSTN. Conventionally, such a client data terminal issues commands through the LAN to the network facsimile machine (and receives responses from the network facsimile machine), using Group 3 facsimile communications procedures. For example, information is exchanged between the client data terminal and the network facsimile machine in order for one to know the statuses and capabilities of the other. However, communications under such a procedure often experiences an unacceptable delay which can cause a communications error, particularly when there is a large amount of LAN traffic.

This application describes tools (in the form of methodologies, apparatuses and systems) for facsimile transmission operation through a LAN, such that immediacy of transmission to the destination is enhanced and the likelihood of a communication error is decreased. The claimed invention of the present application provides for collection, by the client data terminal, of information sets of communication capabilities of data terminals (including the called data terminal) on the LAN, and the facsimile image is generated in accordance with the information of communication capabilities of the called data terminal, in order for the facsimile image to have facsimile

image properties which are acceptable to the called data terminal. Thus, the client data terminal does not wait until a time of facsimile communication to find out from communication with the called data terminal the communication capabilities of the called data terminal, and image conversion need not be performed at the called data terminal.

The cited art does not disclose or suggest these features.

Suzuki, as understood by Applicant, is directed to a facsimile device having a LAN communication function for exchanging data with a terminal through a LAN which is connected to an internet. The facsimile device also has a function for exchanging image information with the terminal through an exchange network (such as a general switched telephone network).

According to Suzuki, the facsimile device has a telephone conversion table which for each destination address stores a corresponding telephone number and IP address. The facsimile device transmits a facsimile to the called terminal via the LAN instead of the exchange network when a (IP) network address of the called terminal is registered in the table.

The Office Action acknowledges that Suzuki does not disclose or suggest, however, that facsimile image information is generated on the client data terminal by reference to a stored information set of communication capabilities pertaining to the called data terminal, wherein the facsimile image is generated in accordance with the stored information set of communication

capabilities pertaining to the called data terminal, in order for the facsimile image to have facsimile image properties which are acceptable to the called data terminal, as described in claim 1 as amended.

Owens does not cure the deficiencies of Suzuki.

Owens, as understood by Applicant, is directed to a system for integrating e-mail, voice mail and fax mail in a universal mailbox. Owens discloses that the system can include options in the form of a defined set of rules to be applied automatically to inbound and outbound messages so that messages are sent and received in accordance with the preferences of the senders and receivers. More specifically, a message in a format for one communication medium (for example, e-mail) may be reformatted for the receiver to access via another communication medium (for example, facsimile).

In terms of facsimile images, Owens neither discloses nor suggests that facsimile images can have varying facsimile image properties. Owens states instead that facsimile images can be accessed by the message receiver through a computer access service using the fax viewer capabilities of the connection software, or redirected to an alternate facsimile machine.

Applicant do not find teaching or suggestion in Owens, however, that facsimile image information is generated on the client data terminal by reference to a stored information set of communication capabilities pertaining to the called data

terminal, wherein the facsimile image is generated in accordance with the stored information set of communication capabilities pertaining to the called data terminal, in order for the facsimile image to have facsimile image properties which are acceptable to the called data terminal, as described in claim 1 as amended.

Fite, as understood by Applicant, is directed to adapting a fax machine to be compatible with a number of fax protocols, such as for polling for files by directory and name, inbound routing via e-mail address, multi-hop relay, relay security, and binary file transfer. Fite was cited in the Office Action for its disclosure of data structures that can represent capabilities groups corresponding to these protocols.

Westwick, as understood by Applicant, is directed to distribution of information units (such as facsimile documents, digitized voice information, still-motion video or full-motion video frame sequence) within a networked information communication system.. Westwick was formerly cited as a primary reference (for example, in the January 23, 2004 and August 6, 2003 Office Actions), but the August 11, 2004 Office Action acknowledges that the relevance of Westwick is more limited. Westwick was cited in the August 11, 2004 Office Action only in connection with claims 5, 11 and 17.

Applicant simply does not find disclosure or suggestion by the cited art of a method of transmitting an information transfer

request from a client data terminal, which is coupled to a local area network, to a called data terminal which is coupled to the local area network and a public switched telephone network, wherein facsimile image information is generated on the client data terminal by reference to a stored information set of communication capabilities pertaining to the called data terminal, and the facsimile image is generated in accordance with the stored information set of communication capabilities pertaining to the called data terminal, in order for the facsimile image to have facsimile image properties which are acceptable to the called data terminal, as described in independent claim 1 as amended.

Independent claims 6 and 12 are patentably distinct from the cited art for at least similar reasons.

In view of the claim amendments and remarks above, the application is believed to be allowable.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such petition. The Office is hereby authorized to charge any fees that may be required in connection with this Response and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Allowance of this application is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Paul Teng", is written over a horizontal line.

PAUL TENG, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
Tel. (212) 278-0400